

REMARKS

Claims 1-10 are pending in the present application, claims 1 and 7 being independent.

Initially, Applicant respectfully requests that the Examiner reconsider the arguments presented with the Reply dated September 9, 2002 regarding the rejections of claims under 35 U.S.C. § 103 as being unpatentable over *Franchini, et al.* in view of *Martin, et al.*, such arguments being incorporated herein by reference. In the Advisory Action dated September 16, 2002, the Examiner indicates that such arguments are not commensurate with the scope of the claims. Based on this indication, Applicant has amended independent claims 1 and 7 to emphasize a feature of the present invention, which was discussed in the Reply dated September 9, 2002 as distinguishing over the asserted combination of *Franchini, et al.* and *Martin, et al.* At least in view of these amendments, Applicant respectfully requests that the Examiner reconsider and withdraw the asserted rejection under 35 U.S.C. § 103.

Entry of the above amendments is earnestly solicited. An early and favorable first action on the merits is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

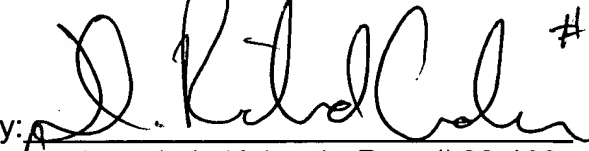
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact D. Richard Anderson (Reg. No. 40,439) at the telephone number below.

If necessary, the Commissioner of hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-

2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version With Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

1. (Amended) A method for the characterisation of physical and/or chemical properties of a liquid, characterised in that,

1) at least one dependent physical and/or chemical property of a liquid is measured in a measuring cell as a function of temperature and a component concentration as independent variables,

2) the values for the component concentration in the measuring cell are determined by calculation, based on data from a control program[s] for the change of component concentration in a computer and the temperatures are determined by calculation from a [the] temperature control program[s] or by measurements;

3) the value of the component concentration in the measuring cell is changed by adding in one step or gradually a predetermined amount of another liquid containing a different component concentration into the measuring cell according to the control program for the change of the component concentration, and a representative number of measurements of the dependent physical or chemical property are performed in the measuring cell within the whole selected temperature range within the predetermined change of the component concentration,

4) the procedures above are repeated at desired component concentrations and temperatures in order to obtain a wanted number of values;

5) the values obtained for the dependent properties are combined with the values for the independent properties to measuring points; and

6) the measuring points electronically stored in the computer are co-ordinated and visualised in a three-dimensional diagram.

3. (Twice Amended) A method according to Claim 1, characterised in that, according to the control program for the change of the component concentration one portion of the liquid is removed from the measuring cell and the same volume of the another liquid containing a different concentration of the component is thereafter added to the measuring cell.

7. (Amended) A device for the characterisation of the physical and/or chemical properties of a liquid, characterised in that, it comprises

a) a [at least one] measuring cell (1) provided with

i) an equipment (2) for the homogenisation of a liquid,

ii) at least two control equipment (3, 17), which comprise or are attached to control programs for changing of the two independent variables, component concentration and temperature, in a predetermined manner, the control equipment (3) of the component concentration comprising a dosage organ for the addition of another liquid containing a different component concentration to the measuring cell,

iii) at least one measuring organ (9, 13, 14) for the determination of at least one dependent physical and/or chemical property of the liquid, and

iv) optionally a measuring organ (15) for the determination of the temperature,

- b) at least one computer (5) for
 - i) the reception and storage of data relating to the dependent and independent variables via at least one electronic circuit (11', 12', 13', 14', 15') and the calculation of at least the component concentration from data obtained from the control program and
 - ii) compilation of the received and calculated values into three-dimensional measuring points and
- c) equipment (16) for visualisation of the measuring points stored in the computer in a three-dimensional diagram.

9. (Twice Amended) A device according to Claim 8, characterised in that the equipment (3) for the control of component concentration has [by means of] one or several dosing organs for the withdrawal from and injection to the measuring cell of the same amount of the fluids but with [a] different concentrations, whereby amounts are controlled by a program in the computer (5).